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ENVIRONMENTAL COOPERATION

There are a number of cooperative environmental mechanisms already in place, but the nature and pace of environmental problems suggest the need for new approaches. The USG and US border states are especially concerned about immediate sanitation problems along the border (see separate background paper, "Unresolved Border Sanitation Problems").

There are also significant and unresolved border air pollution problems, such as those at Ciudad Juarez/El Paso and Tijuana/San Diego, and EPA has been pressing unsuccessfully for joint monitoring. Our Embassy is concerned about serious air pollution problems in Mexico City. A potentially serious environmental problem involves shipments of hazardous wastes.

Following the conclusion of a 1980 maritime spills agreement, EPA and its Mexican counterpart agency suggested negotiation of a similar response mechanism for accidental spills of hydrocarbons and hazardous substances along the inland boundary. Exploratory talks on a US draft inland spills agreement led to a Mexican counterproposal for a much broader arrangement, a treaty on border environmental cooperation.

The USG has agreed in principle with the idea of a new environmental executive agreement (not a treaty) as an umbrella covering existing and future bilateral environmental mechanisms. Such an agreement might reinforce our joint efforts to address border sanitation and other environmental problems, particularly if it results in more GOM attention and public funding toward their resolution. It could also assist US technical agencies carry out activities in certain natural resource management areas of special interest (e.g., national parks, arid lands, plant germplasm and wildlife).

Several weeks ago we made detailed comments on the original Mexican concept, including proposals that any new agreement also cover cooperation on resource management and not be limited to the border zone. In the absence of substantive Mexican reaction to our comments, we provided the GOM a draft text of such an agreement on July 25.

On July 27 the Foreign Ministry provided our Embassy with a new Mexican draft text which evidently crossed ours of July 25 and is far apart from it: GOM wants (1) a treaty, not an executive agreement, (2) to limit to border region, (3) to only deal with pollution, with possible separate agreement on resource management, (4) the U.S. to accept provisions on pollution from military bases and/or nuclear contamination which are unacceptable.

While the Mexicans have now suggested negotiations in early August, chances are not good for conclusion of an acceptable agreement before the meeting of the two presidents.

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